IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 15614 of 2005

Between:

A. Sudhakar, Hindu, S/o. Sanjeevarayudu,
R/o. D.No.1/370, Akkayapalli, Ravindra Nagar,
Kadapa District.

..... PETITIONER

AND

1 The Secretary, Regional Transport Authority, Regional Transport

Officer, Kadapa.
2 Motor Vehicle Inspector, kodad, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a order or direction, more particularly one in the nature of writ of Mandamus declaring the seizure and continued detention of the petitioner's contract carriage vehicle bearing R.No.PY01/W 5527 seized under vehicle check report No.2298061 dt. 11-01-2005 the 2nd respondent i.e. Motor Vehicle Inspector Kodad Nalgonda Dist, as arbitrary illegal unjust unconstitutional and without jurisdiction and consequently direct the respondents to forthwith release the petitioner's contract carriage vehicle bearing R.No. PY01/W5527 to the petitioner and to pass such other or further orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.R.K. JWALA

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the stage of admission made the following

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ):

Heard learned counsel for the parties. With their consent, the writ petition is being disposed of at this stage.

The vehicle of the petitioner has been seized for various grounds and an enquiry is pending. In the interest of justice, we dispose of this writ petition at this stage, directing release of the vehicle subject to production of the documents and on payment of 50 per cent of the tax due by the petitioner, if any, and further subject to filing an undertaking by the petitioner to the effect that he shall not alienate or in any way encumber the vehicle.

The writ petition is accordingly disposed of. No costs.

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(Bilal Nazki, ACJ)

19th July, 2005.

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(G. Chandraiah, J)

Note: Issue wire at party's cost
(B/o)
vrn

To

1 The Secretary, Regional Transport Authority, Regional Transport Officer, Kadapa.

2 The Motor Vehicle Inspector, kodad, Nalgonda District.

3 Two CCs to the Government Pleader for Transport, High Court Buildings, Hyderabad. (O.U.T.)

4 Two CD copies.